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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4696 OF 2004

.SP1

Anandrao Narsinh Patil.....  Petitioner.

Versus

Prashant Ramkrishna Patkar.....  Respondent.

Mr. S.S.Kanitkar with Mr. G.S.Godbole
for the Petitioner.

None for the Respondent.

CORAM : R.M.S.KHANDEPARKAR, J.@@
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DATED : 28TH SEPTEMBER, 2004.@@
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P.C.:@@
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.SP2
.............L....I..T.......T.......T.......T.......T.......T....J.
.T.J

Learned advocate for the Petitioner states that in view of the observation in the impugned order that the provisions of the Bombay Rents, Hotel & Lodging House Rates (Control) Act, 1947 were not made applicable to the Village Chandansar where the suit premises are situated it is necessary for the petitioner to prefer the Second Appeal and not the writ petition and therefore the Petitioner seeks leave to withdraw the petition with liberty to file the Second Appeal.

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2. Writ Petition is accordingly allowed to be

withdrawn with liberty as prayed.

3. Needless to say that this Court has not decided on the point of admission and/or any other rights of the parties including the right in relation to the period of limitation.

Sd/-
(R.M.S.KHANDEPARKAR, J.)@@
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2296 OF 2004
IN
WRIT PETITION NO. 4696 OF 2004

.SP1

Anandrao Narsinh Patil..... Petitioner.

Versus

Prashant Ramkrishna Patkar..... Respondent.

Mr. S.S.Kanitkar with Mr. G.S.Godbole
for the Petitioner.

None for the Respondent.

CORAM : R.M.S.KHANDEPARKAR, J.@@
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DATED : 28TH SEPTEMBER, 2004.@@
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In view of the withdrawal of the writ petition itself, this civil application does not survive and is accordingly disposed of.

Sd/-
(R.M.S.KHANDEPARKAR, J.)@@
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